

10/12/01

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

**ROANOKE CALENDAR - OCTOBER 15, 2001**

**(The Honorable William F. Stone Jr. Presiding)**

(Start \_\_\_\_\_ Recess \_\_\_\_\_ // \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings \_\_\_\_\_)

**Attys:**

**Debtors:**

**Case Nos.:**

**Trustees:**

*\*note: 9:30 a.m. admission to practice – Ellen S. Moore*

**9:30 A.M. - PRE-TRIAL CONFERENCES**

Grant	LORRIE HUGHES - Ch. 7	7-01-00105	Vogel/SO
	A/P #7-01-00105: Determine dischargeability of debt; Pretrial contd from 12/15		
	Debtor v. U. S. Dept. Of Education ( Eckert      ), SunTrust Bank (      )		
	Educational Credit Management Corp. (      ); State Education Assistance Authority		
	(      )		

**9:30 A.M. - NEW CHAPTER 13 MODIFIED PLAN CONFIRMATIONS**

Small	ROBERT CALLAHAN-ch13	7-01-02565	Connelly/MC
	Plan filed 6/22; d/e # 12 with certif. Of service (contd by 9/11 ord)		
	<b>Objection:</b> Trustee w/Report and Motion on Dismissal, filed 7/20; d/e #18		

Shelor	JAMES & BEVERLY HARTLEY-ch13	7-01-02479	Connelly/NS
	Mod Plan filed 8/13; d/e # 17		

Delafield	CHARLES & LOUVENIA WILLIAMS	7-01-02630	Connelly/PR
	Plan filed 6/20; d/e # 12		
	<b>Objection:</b> Trustee w/Report and Motion on Dismissal, filed 7/20; d/e # 20		

Motion for valuation : 1994 GEO Metro; Wachovia ; filed 8/31; d/e # 31

Motion for valuation: '99 Chev. Silverado; Bank One West Va., d/e # 32, filed 8/31  
Roanoke Calendar - 10/15/01

**9:30 A.M. - CHAPTER 13 MODIFIED PLAN CONFIRMATIONS**

Krippendorf IRVIN MILLER, SR. - Ch. 13 7-01-01363 Connelly/PR  
Mod. Plan#2 filed 8/22 – d/e #33  
–**Note: Mod Plan #3 filed 9/21, set for 11/13 @ 9:30 for conf**

Motion #1: Relief - filed 7/30; d/e # 25, 26; contd fr 8/27 to hear w/mod plan  
Va. Housing Development authority (Wade) v. debtor & trustee  
RESPONSE filed by Debtor 8/10

M.Hart STUART & YVONNE HASH - Ch. 13 7-98-03768 Connelly/AF  
Mod. Plan filed 8/13 – d/e #83, 84

Krippendorf BRIDGET JOHNSON - Ch. 13 7-00-01839 Connelly/PR  
Mod. Plan filed 8/17 – d/e #52, 53  
–**Note: Further Mod plan filed 9/13; d/e # 60; noticed for 10/29 @ 9:30**

Trustee's Motion to Dismiss or Convert – d/e #51 - contd from 9/10

M.Hart JEFFREY & CARNIE SMITH - Ch. 13 7-98-02815 Connelly/MC  
Mod. Plan filed 8/14 – d/e #83, 84; **contd from 10/15**

Shelor EDDIE, JR., & GLENDORA DALTON - Ch. 13 7-01-02478 Connelly/AF  
Mod. **Plan filed 8/27** – d/e #18, 19

Motion of Debtors for **extension** of time **to file** amended chapter 13 **plan until 8/27**

**(Note: ord (proposed) in case file denying previous plan directed at 8/13 hearing to be taken up at 10/15 hearing)**

Roanoke Calendar - 10/15/01

**10:00 A.M. - NEW CHAPTER 13 CONFIRMATIONS**

M Hart      BRIAN & CHRISTINA MURTAGH-chl3      7-01-03199      Connelly/.S  
Plan filed 8/7; d/e # 13 **CONTD from 10/15**  
**Objection:** Trustee with Motion to dismiss, d/e # 16, filed 8/27

Bowman      SHIRLEY THOMAS-conv fr ch7 on 7/20      7-01-02215      Connelly/MC  
Plan; d/e # 28; filed 8/24 (no c/s)  
Trustee Report, OBJECTION and Showcause on dismissal filed 9/17; d/e # 33  
**Objection:** Trustee with Motion to dismiss, d/e # 29, filed 8/27

**Mod plan filed 10/3, d/e # 34, w/o dbtr endorsement; deficiency ntc 10/4 issued ; §341 meeting contd to 10/19**

M Hart      CAROL ALLEN      7-01-03213      Connelly/PR  
Plan filed 8/6; d/e # 10  
**Objection:** Trustee w/Motion to Show Cause for Dismissal – d/e #14

Motion for valuation: 2000 Ford Stratus; Ford Motor Credit, filed 8/23; d/e # 12  
Objection filed 9/21; d/e # 16:( Laura Hale)

M Hart      MICHAEL & JEAN BURWELL      7-01-03157      Connelly/NC  
Plan filed 7/16/01; d/e # 6  
**Objection:** Trustee w/motion to showcause why case should not be dismissed #16

Motion #1: Avoid lien: Debtors v. Beneficial and Trustee, filed 8/23; d/e # 21

**Mot.amended & renoticed 10/29 w/default OTBT re:10/29 hrg**

Motion #2: Avoid lien: Debtors v. Citifinancial and Trustee filed 8/23; d/e # 22

Motion #3: Avoid lien: Debtors v. Washington Mutual and Trustee filed 8/23; d/e # 23

Motion #4: Avoid lien; Debtors v. Wells Fargo and Trustee filed 8/23; d/e # 24

**Mot.amended & renoticed 10/3 for 10/29 @ 11**

Motion for valuation: '99 Plymouth Voyager/Chrysler Fiancial; filed 8/23; d/e # 17

Motion for valuation: TV, etc: Circuit City/First NoAmer. Natl Bank; filed 8/23; d/e # 18

Motion for valuation: LR Furn: Schewel Furn.; filed 8/23; d/e # 19



**11:00 A.M. - MISCELLANEOUS HEARINGS**

T.Giles	TERRY & TAMARA GOODE-chl3	7-97-00339	Connelly/PR
	Motion of Trustee to Dismiss/Convert filed 9/189; d/e # 21		
	<b><u>-ORDER of 10/12, d/e # 22, resolved mot of trustee; cancels hearing</u></b>		
P Brown	CARL & PEGGY ALLIE-chl3	7-99-01261	Connelly/VS
	Motion of IRS (Eckert) to convert to Chapter 7 or dismiss filed 8/30; d/e # 32		
	Contd fr 9/24		
Delafield	IRA DEBUSK JR-chl3	7-01-03677	Connelly/NS
	Motion for Valuation : Jewelry: Fink's Jewelers, filed 9/17; d/e # 13		
	<i>Note: conf is scheduled 11/13 @ 9:30</i>		
Delafield	MICHAEL & MELANIE HUNT-chl3	7-00-03479	Connelly/NS
	Fee appl, counsel for debtors, contd from 9/24 for trustee review		
Dickenson	MICHAEL FRENCH - Ch. 13	7-00-02260	Connelly/JJ
	Motion #1: Relief; contd from 9/10		
	Fairbanks Capital Corp. (Jaffe) v. Debtor & Trustee – d/e #25		
Fleischhauer	CHARLES & LEA LINEBERRY-chl3	7-99-03112	Connelly/SJ
	Motion #2: Relief - <u>or alternatively, motion to dismiss or convert</u> * filed 8/21; d/e # 71,		
	Travelers Bank & Trust FSB (Chappel./Hathaway?) v. debtors & trustee ; contd fr 9/10		
P Brown	PAUL & STEPHANIE POINDEXTER-chl3	7-99-01029	Connelly/SJ
	Mot to approve post-petition consumer debt filed 9/12; d/e # 24		

**11:00 A.M. - MISCELLANEOUS HEARINGS**

Dickenson	MICHAEL FRENCH - Ch. 13 Motion #1: cont'd from 9/10 Fairbanks Capital Corp. (Jaffee) v. Debtor	7-00-02260	Connelly/JJ
M.Hart	DAVID HOLT, JR. - Ch. 7 Motion to Redeem Property requesting Mr. Car Man release lien & return title to Debtor – d/e #52  Motion to Redeem Property requesting Commercial Credit release lien and return title to Debtor	7-98-02729	McLean/SJ
H Brown	DANIEL & MARGARET ANDREWS-ch13 Motion #2: Relief filed 9/19; d/e # 61, 62 Ford Motor Credit Co (L. Hale) v debtors & trustee RESPONSE filed by Debtors 9/28 – d/e #64	7-00-04221	Connelly/VS
Krippendorf	RITA ROGERS - Motion #1: Relief – filed 9/24 d/e #20 First Union Nat'l Bank (Mason) v. Debtor & Trustee – <i>*note: Converted to Ch 7 on 10/11; now R.Creasy, trustee</i>	7-00-03227	*Connelly/NS
M.Giles	HERALD & DIANA DEAN - Ch. 13 Debtors' Motion to Incur Debt	7-97-03471	Connelly/VS
M.Hart	HARLISS RAMEY - Ch. 13 Motion to Incur Debt – d/e #46	7-96-03494	Connelly/
M Hart	AUBREY & LINDA HICKS-ch13 Motio #1: Relief: Option One Mortgage ; <b>ORDER of 10/12 dismissed motion</b>	7-00-00452	Connelly/SJ

**3:00 P.M. - TRIAL**

Delafield	JOYCE REAVIS-ch7 A/P 7-01-00082: Det. Dischargeability Debtor v. U.S.Dept of Education (Eckert ) and Callahan, Trustee ** **mot/ord to be tendered dismissing Wm. Callahan, trustee, as party *parties & court consented to hearing Abg AP in Roanoke	7-01-00906	Callahan/SO
Hart	RONALD DYER-ch7 A/P 7-01-00099: Det. Dischargeability Debtor (Hart) v. U.S.Dept of Education (	7-01-01886 contd fr 10/15	McLean /LM
Delafield	GARY & PAMELA TINCHER-ch7 A/P 7-01-00110: Det. Dischargeability Debtors v. Internal Revenue Service (Eckert) *Telephone call to be initiated by Mr. Eckert for IRS	7-01-02847	Krippend/SO

**2:00 P.M. - CHAP 13 PLAN; ADVERSARY & MISC. HEARING**

M Giles	BOBBY HARPER-ch13 A/P 7-01-00115: Det. Lien or other interest in property Debtor v. Wells Fargo Bank Minnesota NA ( ) & Ocwen Federal Bank FSB ( )  Debtor's Objection to Claim #3: Ocwen Federal Bank, filed 7/2; d/e # 17 contd from 8/27 to hear w/a-p  Mod. Plan filed 6/04 w/cert. of service to all creditors & parties – d/e # 14 <b>Objection:</b> Trustee with showcause; dismissal; filed 6/15; d/e # 16 CONTD fr 9/10	7-01-02031	Connelly/VS
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**2:00 P.M. - MISCELLANEOUS HEARINGS**

M Hart	RYAN & KELLY ADAMS-ch7 Trustee Obj to Petition, Homestead Deed & Poor Debtor Exemptions filed 9/17; d/e # 61	7-00-00778	Creasy/AF
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**2:00 P.M. - MISCELLANEOUS HEARINGS**

Mayer            T. MICHAEL & KELLY SUMMAR-ch7            7-01-02452            McLean/SJ  
                         Motion #1: Avoid lien - filed 8/27; d/e # 14, 15  
                         Debtors v. American General Finance Inc (Padgett)

***Note: Debtor/Movant atty tendering order to withdraw motion***

Delafield        PATRICIA ANDERSON - Ch. 7            7-01-03048            Krippendorf/AF  
                         Trustee's Motion for Extension of Time for 90 days from complaints deadline to file  
                         objection to exemptions/complaints re discharge and dischargeability – d/e #19  
                         *If no objections filed 5 days prior to hearing, order is self-executing*

Krippendorf    JAMAL JAHA NUBI-ch7            7-01-02273            Creasy/PR  
                         Motion #1: Avoid lien - filed 9/14; d/e # 21  
                         Debtor v. First Va. Bank SW c/o Thomas Jennings, agent  
                         **–ORDER of 10/12 withdrew motion**

Delafield        JOHN, SR., & MARY BOYER - Ch. 7            7-01-03137            Krippendorf/NS  
                         Trustee's Motion for Extension of Time for 90 days from complaints deadline to file  
                         objection to exemptions/complaints re discharge and dischargeability – d/e #12, 13  
                         (If no objections filed 5 days prior to hearing, order is self-executing)

M Hart            CARLOS & LEISA RAY-ch7            7-01-03473            Vogel/PR  
                         Motion #1: Avoid lien - filed 9/17 d/e # 11, 12  
                         Debtors v. Beneficial Mortgage Co  
                         **–ORDER of 10/5 voided lien, allowing claim and treating as gen.unsecured**

D Perkinson    CHRISTOPHER LAUGHON-ch7            7-01-03270            Vogel/NS  
                         Motion #2: relief filed 9/17 D/E #18; **fee pd; deficiency cured**  
                         Grand Home furnishings (Dunn) v debtor & trustee

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**2:00 P.M. - MISCELLANEOUS HEARINGS**

M Giles	BRIAN WILKINSON- CH7	7-01-03255	Allen/MC
	Motion #3: Relief - filed 9/19; d/e # 25, 26, 27		
	Chrysler Financial Co. LLC (Higgs) v. debtor & trustee		
	<b>Order of 10/3 (default) granted relief</b>		
Mayer	REN & WILLIA BARE-ch7	7-01-02864	McLean/JJ
	Motion #11: Relief - filed 9/19; d/e # 13 ,14		
	Citifinancial Mortgage (Jaffee) v. debtors & trustee		
	<b>–ORDER (default) of 10/12, d/e #18, granted relief, cancels hearing</b>		
Ludwig	WANDA CHUMBLEY -Ch. 7	7-01-02099	Creasy/S
	Motion to sell property free & clear of liens – d/e #27		
	Motion to shorten notice requirement – d/e #28		

**4:00 P.M. - TELEPHONE CONFERENCE IN CHAMBERS\*\***

Copeland	S T & J INC - chl1	7-01-03411	DIP/VS
	Motion of Coleman Oil to alter or amend order (Beck)		
	**call to be initiated by R.Copeland		